IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3027 OF 2005
IN
INCOME TAX APPEAL (LODG) NO.1292 OF 2005

The Commissioner of Income Tax ..Appellant.

V/s.

M/s.Solar Pacakaging Pvt. Ltd. ..Respondent.

Mr.A.D.Kango with P.S.Sahadevan for appellant.
None for respondent.

CORAM : DR. S.RADHAKRISHNAN AND J.P.DEVADHAR, JJ.

DATED : 16TH APRIL, 2008.

P.C. :-

1. Heard learned counsel for the appellant. None for the respondent, though served. Counsel for appellant undertakes to file the affidavit of service within 2 weeks. Perused the affidavit filed in support of the Notice of Motion. The Motion is filed for condonation of 71 days delay in filing the above appeal. Sufficient cause is shown for condoning the delay. There is no case of inaction, negligence or want of bonafide on the part of the appellant. Notice of Motion is made absolute in terms of prayer clause (a). Appeal be numbered.

2. Appeal be listed for hearing in July, 2008 subject to numbering.

3. Notice of Motion is disposed of accordingly with no order as to costs.

(J.P. DEVADHAR, J.) **(DR.S.RADHAKRISHNAN, J.)**